

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – MAY 21, 2008 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER – #27 E. FRONTAGE ROAD**

1. CALL TO ORDER.

Mayor Stearley called the meeting to order @ 6:30 P.M. All Councilors were present.

Also present was Ms. Karen Mahalick, Manager, Planning and Zoning, and Ms. Estefanie Muller, Acting Administrator Clerk – Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Abrams made a motion to approve the agenda with the exception of item 19AA. This item is to be tabled. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

A. First Appointment of a Planning & Zoning Commissioner.

MOTION: Councilor Felton made a motion to approve the appointment of Mr. Don Holle as a Planning & Zoning Commissioner. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

B. Support of the New Mexico State Forestry Smoking, Firework, Campfire and Open Fire Restrictions.

Ms. Mahalick stated that the Fire Department requested that the Town of Edgewood piggyback these requirements within our communities so that they can enforce them within the municipal limits.

MOTION: Councilor Simmons made a motion to approve the support of the New Mexico State Forestry Smoking, Firework, Campfire and Open Fire Restrictions. Councilor Hill seconded the motion for discussion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted Aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

C. Update on Sign Ordinance.

Mayor Stearley requested a photo album from Mr. Ray Seagers from around town. The Mayor also asked that the Town of Edgewood staff work on some modifications to the ordinance in an effort to provide the type of signage that the businesses are requesting. These changes will be presented to a committee.

Mayor Stearley stated that his intention is for the committee to work with the existing sign ordinance and make changes to it in an effort to accommodate the businesses needs.

Councilor Felton requested that the committee take a look a moratorium and signs around town, signs on easements, the sides of buildings and banners, to see if these signs are really bringing people into those businesses.

D. Update on Municipal Library requirements.

Mayor Stearley met with Mr. Dave Knuckles the chairman of the Library board to see if they had consensus. The Mayor asked Dave to bring the documents to the Town office next week. The Library accountant has the data needed for the Town to acquire the Library, and establish it as The Town of Edgewood Library.

E. Discussion of Section 16 Recreational Fields.

Mayor Stearley said he is going to meet with Senator Sue Wilson-Befford about these fields. He also stated that the State Land Office is not interested in providing additional acreage. Mayor Stearley said that he had reviewed the plats. He also stated that he is going to meet with Mr. Cardenas to discuss water and whether there is enough to water the fields. He also will speak to Ms. Couch to discuss the school participation.

Councilor Simmons asked why the State Land Office is unwilling to provide an additional 40 acres.

Ms. Mahalick stated that this was discussed between developers and Mr. Jerry King. She said that Mr. King felt that the Town of Edgewood would not be able to fund and maintain that large of an investment and that he did not want to give up the ability to develop that land.

Councilor Hill stated that he felt the revised design created a nice buffer around the school and that may be conducive to the developer.

Councilor Abrams inquired about the revised plans and the amount of acreage.

Mayor Stearley stated that this was a conceptual drawing and is not engineered. He also stated that the staff was working on estimating the costs of maintaining these fields.

Councilor Felton discussed his understanding that this process could be started out on a much smaller scale and then be added to as the Town grows.

Mayor Stearley stated that an engineer would need to review the parking area.

Mayor Stearley said that after his discussion with Senator Befford he would present proposals to Council.

Mayor Stearley discussed the Estancia Valley Regional Animal Shelter stating that the initiative is still alive. All the parties involved are still interested in a regional shelter. There will be a meeting at the Village of Tijeras Council Chambers on June 11, 2008. Mayor Stearley has asked Ms. Mahalick and Ms. Vicky Murphy to attend this meeting.

Mayor Stearley stated that he is going to meet with Commissioner Brahser and the Public Safety Manager John Dantis and Bernalillo County Manager Thaddeus Lucero on June 2, 2008 to discuss the Regional Animal Shelter and the possibility of Santa Fe County taking the initiative as they have the greatest need.

5. PROCLAMATIONS.

F. Poppy Day – May 24, 2008

Mayor Stearley proclaimed May 24, 2008 as Poppy Day.

G. Proclamation - Recognition of Mr. Mark Jensen.

Mr. Jensen was not present. Mayor Stearley read the proclamation.

6. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Hill asked that the Mayor and Council revisit the issue of the Development Fee Committee as well as suggest two individuals for this committee.

Mayor Stearley requested their names at this time.

Councilor Hill recommended Mr. Ray Seagers III and Mr. Drew Sommerville for the Development Fee Committee.

Mayor Stearley invited Council to provide names for consideration of this committee.

Councilor Hill stated that a new study should take place when considering the potential fees.

Mayor Stearley and Councilor Hill discussed sewer impact fees and hook-up fees.

Ms. Mahalick stated that there seems to be a misunderstanding because developers are referred to NM American Water.

Councilor Felton stated that he was in receipt of an e-mail from a citizen who was concerned that the Police Chief was not yet pulling over speeders. Councilor Felton requested that Chief Welch address the public again explaining that there is a real danger to begin making traffic stops without the proper back up in place.

H. Request for Town of Edgewood Promotional Funds – Councilor Felton.

Councilor Felton suggested that the Town of Edgewood consider implementing an objective process for handling funding requests for events.

7. MATTERS FROM THE ATTORNEY.

None.

8. PUBLIC SAFETY.

I. Campbell Policing.

Chief Welch discussed his conversation with David Able of Campbell Ranch

regarding policing of that area. Chief Welch stated that he was not going to police the area until there has been some development. He also stated that Mr. Able informed him that Campbell Ranch was working on a JPA with Bernalillo County Fire department to provide fire services for the area.

Chief Welch updated Council on the JPA for RECC stating that the agenda item had been tabled and referred to the Public Safety Committee. This committee will recommend to the Santa Fe City Council that the JPA be approved. Chief Welch also stated the JPA had been reviewed by the City attorney who made some changes.

After the JPA is approved it then has to go back to Santa Fe County.

Councilor Abrams asked about the changes that the attorney made.

Chief Welch stated that the changes were not significant.

Chief Welch stated that he had tested the car radios and that he had no problems.

Chief Welch stated that it would not be safe to make traffic stops without radio contact, as he would not be able to verify the status of the driver's license or registration.

Chief Welch stated that he had started running radar and has been flashing his lights to get speeders to slow down.

Mayor Stearley stated that the JPA will be enacted on July 1, 2008 however the Chief is going to talk to dispatch and see if he can hire officers before that and call it testing as a means to familiarize officers with the area.

Chief Welch stated that he would like to move forward with the hiring process so that the officers have some time to get to know the area for reporting and responding purposes.

Ms. Muller stated that the Resolution in place allows the Chief to begin hiring.

9. COMMUNITY DEVELOPMENT REPORT.

J. Standard Operating Procedures for Annexations and Roads.

Ms. Mahalick discussed the information about road naming that Council has in their meeting packets.

Councilor Felton stated that he would hate to see residents lock-up on name issues and that maybe there could be a better way to allow for more balance.

Mayor Stearley discussed the penalties section stating that it is a serious safety issue.

Mayor Stearley stated that he would like to see the Town purchase the house numbers and stands and provide them at cost to the residents.

Mayor Stearley requested Ms. Mahalick to provide the Ordinance information to the Council at the June 2, 2008 Council meeting.

K. Name Change – Travis Road to Plaza Court.

MOTION: Councilor Felton made a motion to approve the name change of Travis Road to Plaza Court. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Initials

L. Annexation Policy Discussion.

Ms. Mahalick stated that she had spoken to Councilor Hill discussing the \$100.00 fee for annexation. Ms. Mahalick stated that she brought forward some information on deferring this fee for certain properties that were surrounded by Town boundary and it was felt that the best solution was to waive this fee.

MOTION: Councilor Simmons made a motion to waive the \$100.00 fee.
Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.
Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

M. Wind Turbine Grant.

Ms. Mahalick discussed the Wind Turbine Grant stating that it is an energy resource grant for certain clean energy and it is due on Friday. She also stated that she had a Wind Feasibility study that was done free of charge by Integrity. The application for the Grant requires that the Town state that it is interested in meeting the 50/50 match, which would be \$100,000.00. Ms. Mahalick requested approval to submit the Grant.

MOTION: Councilor Abrams made a motion to proceed with the Wind Turbine Grant. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.
Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

10. REQUEST FOR PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES.

N. Award of contract.

Ms. Mahalick stated that a committee of three reviewed the proposals, evaluated, and ranked them as follows:

Dennis Engineering Company	282
Wilson & Company	268
Souder, Miller & Associates	261
Tierra West, LLC	195
Larkin Group NM, Inc.	252
Gannett Fleming West, Inc.	252

MOTION: Councilor Felton made a motion to award the contract for Professional Consulting Services to Dennis Engineering.
Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.
Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Initials

11. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Ms. Sue West stated that she was upset by the treatment she received at the last meeting. Ms. West asked if the Mayor and Council could please work towards healing the town. Ms. West stated that she had requested that the committees be formed with balance in mind.

Mr. Chuck Ring stated that he was pleased to see that the Playing Fields on Section 16 was not a dead issue, and that he is glad to see the Town is moving forward with it.

Mr. Ring also stated that he would like to see the Town start getting effluent water to Section 16 to water the fields.

Mr. Ring stated that the impact fees of \$.28 for residential and \$.56 for commercial pays for Santa Fe County Fire Protection plus a ¼ % Gross Receipts Tax. Mr. Ring stated that his understanding was that this would go away after the Dispatch and EMT Ordinances were passed and that has not happened.

Ms. Donna De Grave stated that she came to support the effort for the Regional Animal Shelter and that she was very glad to hear the comments tonight. Ms. De Grave also said that she sees the need for Edgewood and that the need will continue to grow. Ms. De Grave stated that she feels that if the Town does not use the money that has been allocated and acknowledge the money that has already been spent the Town will lose credibility with the Legislature for future projects.

Ms. De Grave stated that she had been attending the meeting for the Regional Animal Shelter and added that Moriarty and Torrance County will continue to be represented and are still very interested in participating.

Ms. De Graves asked what the Councils feelings are on the change of leadership for the Regional Animal Shelter.

Councilor Felton stated that he felt that the Daniel Abram had the right attitude and knowledge to fulfill his obligation.

Note: If you plan to testify under Public Hearings, please do not sign-up for the same topic.

12. APPROVAL OF PREVIOUS MINUTES.

O. Regular Council Meeting Minutes of May 7, 2008.

P. Budget Preparation Meeting Minutes of May 10, 2008.

Q. Budget Preparation Meeting Minutes of May 14, 2008.

MOTION: Councilor Simmons made a motion to approve the Regular Council Meeting Minutes of May 7, 2008, the Budget Preparation Meeting Minutes of May 10, 2008 and the Budget Preparation Meeting Minutes of May 14, 2008 as presented. Councilor Felton seconded the motion for discussion.

Councilor Felton requested that the wording regarding the ISO be changed to read that he spoke with ISO based in Chicago and not the Fire Department in Chicago.

Councilor Simmons stated that she would like to amend her motion to include the correction.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.
Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

R. Planning & Zoning Commission Meeting Minutes of April 21, 2008.

S. Planning & Zoning Commission Meeting Minutes of May 5, 2008.

MOTION: Councilor Abrams made a motion to approve acknowledgement of the Planning & Zoning Minutes for April 21, 2008 and May 5, 2008. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye.
Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

13. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: Note: This hearing is continued from the Regular Council Meeting of May 7, 2008. (ROLL CALL VOTE)

T. Request to amend Zoning Ordinance No. 2003-4: Section 19.D.4 – Commercial C-1, adding a new section for Rural Residential Zoning, adding performance Standards for swimming pools and adding the definition of “Building Height Measurement”.

Ms. Mahalick stated that this was a continuation of the last meeting that Council had. Ms. Mahalick stated that she removed the word “Rural” throughout so that it would allow for more diversity in platting of the acreage.

Councilor Simmons discussed her feelings about forested ridgeline properties, stating that she would like to have a portion of the ordinance removed.

Ms. Mahalick clarified that it is not to be taken out of context, and that it is not effective across the board.

Councilor Hill stated that it was his understanding that this is not mandating or precluding houses being built on ridgelines unless the builder is seeking this particular zoning type.

Councilor Simmons requested that forested ridgelines be removed.

MOTION: Councilor Hill made a motion to table this amendment request until the first council meeting of June 4, 2008. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted Aye. Councilor Felton voted aye.
Councilor Hill voted nay. Councilor Simmons voted nay. Mayor Stearley voted Aye. The motion carried.

14. CALL FOR PUBLIC HEARING.

U. Ordinance No. 2006-06 Creating the Position of Town Administrator Clerk-Treasurer.

MOTION: Councilor Felton made a motion to call for a Public Hearing. Councilor Simmons seconded the motion for discussion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

15. FINANCE & ADMINISTRATION.

V. Approval of Town Bills for the month of April, 2008.

MOTION: Councilor Hill made a motion to approve the Town Bills for the month of April, 2008. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

W. Approval of Financial Statement for the month of April, 2008.

MOTION: Councilor Felton made a motion to approve the Financial Statement for the month of April, 2008. Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

16. ESTANCIA BASIN RESOURCE ASSOCIATION (EBRA) – Mr. Art Swenka.

Mr. Art Swenka stated that in light of the budget restraints, he is requesting the Town of Edgewood remain a member of EBRA at a lesser amount. Possibly with an annual membership fee of \$1000.00 as opposed to \$18000.00. The municipalities have adopted MOA's that are dictated by their boards. The boards are controlled by the Mayors.

Mayor Stearley discussed the importance of EBRA.

17. CHAMBER OF COMMERCE – ADVERTISEMENTS – Ms. Myra Oden.

Ms. Myra Oden representing the Chamber of Commerce requests that the Town of Edgewood remove Run, Rally and Rock from Parks & Recreation department and transfer sole ownership of that event to the Chamber. Ms. Oden stated that the

Tourism Grant expires June 30, 2008.
Mayor Stearley stated that the Tourism Grant will be expired.
Ms. Muller stated that the Grant will be expended by June 30th as other costs were added,

Councilor Hill asked if there is any more money in the current budget.
Mr. Holden stated that there is not any money remaining in the Tourism Grant, however, the budget line item for Route, 66 Run, Rally, Rock has \$7700.00 in it.
Mayor Stearley stated that Councilor Felton had proposed that the Town of Edgewood review requests for advertising funds. Mayor Stearley asked Council for suggestions for moving this forward.
Councilor Felton asked if Run, Rally, Rock could draw national attention.
Ms. Oden stated that she felt it could draw national attention if advertisement was placed in the proper documents.
Mayor Stearley proposed that this item be brought back to council at the next meeting as to how to proceed with the planning for these events.

18. TOWN OF EDGEWOOD 2008-09 INTERIM BUDGET SUMTITTAL.

X. Approval of the Interim Budget to be submitted to the Department of Finance & Administration.

Mayor Stearley discussed some changes to the Parks & Recreation budget based on information gathered by Mr. Roger Holden regarding grants that he had applied for. Mayor Stearley referred to the power point budget schedule.
Mayor Stearley requested taking a look at the By-Laws for the rental of the Community Center.

MOTION: Councilor Hill made a motion to adopt the Interim Budget.
Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.
Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Y. Discussion of Letter of Transmittal of Final Budget due July 1st.
Mayor Stearley updated Council on this item per the guidelines of DFA.

MOTION: Councilor Simmons made a motion to table this issue.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.
Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

19. RESOLUTIONS.

Z. Resolution No. 2008-36 Participation into New Mexico Retiree Health Care Association.

Initials

Ms. Muller stated that in order to become members there was a Buy-In fee of approximately \$237,000.00 that can be paid back on a monthly basis for an undetermined amount of time. She also said that effective July 1, 2008 the deductions could begin with Councils approval to move forward.

MOTION: Councilor Simmons made a motion to table this resolution pending more definitive information on the Buy-In.

Ms. Muller stated that she could contact New Mexico Retiree Health Care and request a presentation for the Council.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

AA. Resolution No. 2008-37 Declaring a Parcel a Nuisance & Ordering the Abatement. This item was tabled.

20. SECOND APPOINTMENT OF A PLANNING & ZONING COMMISSIONER.

Mayor Stearley introduced Mr. Tim Fleming and asked for Councils approval to appoint him as Planning & Zoning Commissioner.

Mr. Fleming stated that he works at Sandia Labs as a Physicist. Mr. Fleming stated that he felt he could bring a certain amount of analytic and scientific capability to the commission. He also stated that he would be able to listen to the residents' issues. Councilor Hill stated that he was concerned with Mr. Flemings understanding that his personal opinions regarding planning will need to remain neutral in light of his appointment.

Councilor Hill also stated that he was concerned that the Planning & Zoning Commission is lacking a balanced view. Councilor Hill feels that there is not an advocate representing the development community.

MOTION: Councilor Abrams made a motion to approve Mr. Tim Fleming as Planning & Zoning Commissioner. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted nay. The motion carried.

21. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

BB. Special Council Meeting – May 28, 2008 @ 6:30 P.M.

Councilor Hill stated that he would not be able to attend this meeting.

CC. Regular Council Meeting – June 4, 2008 @ 6:30 P.M.

DD. Regular Council Meeting – June 18, 2008 @ 6:30 P.M.

22. ADJOURN.

Councilor Simmons made a motion to adjourn the meeting.
All Council members voted aye. Councilor Hill seconded the motion.

Mayor Stearley adjourned the meeting at 9:45 P.M.

ADOPTED AND APPROVED this 4th day of JUNE, 2008.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Acting Administrator Clerk-Treasurer